

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FORTY-NINTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Sunday, June 20, 2004

The Senate was called to order at 5:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Perry Ash, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Amedee, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 168—

BY SENATOR IRONS

A RESOLUTION

To designate Sunday, June 20, 2004, as "Everyday Choices for a Healthier Life Day" in the Louisiana Senate.

On motion of Senator Irons, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 166—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To evidence intent for the state of Louisiana and all of its agencies, boards, commissions, and other instrumentalities to become a member of the Louisiana Local Government Environmental Facilities and Community Development Authority.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Holden	Schedler
Heitmeier	Romero	
Total—5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 350—
BY REPRESENTATIVE DURAND**

A CONCURRENT RESOLUTION

To create an advisory committee to be known as the Atchafalaya Parkway Commission to study the need for constructing and managing improvements to Louisiana Highway 105 and adjacent properties between the Butte La Rose Interchange on I-10 in St. Martin Parish and U.S. Highway 190 in St. Landry Parish in Krotz Springs, Louisiana, and to make recommendations regarding same to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 351—
BY REPRESENTATIVE DURAND**

A CONCURRENT RESOLUTION

To create an advisory committee to study water transportation development and expansion in St. Martin Parish including but not limited to identifying the need for such development and expansion and identifying potential funding sources and to make recommendations to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2005 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 356—
BY REPRESENTATIVE TRICHE**

A CONCURRENT RESOLUTION

To express legislative support for federal management of wild horses on federal lands.

**HOUSE CONCURRENT RESOLUTION NO. 357—
BY REPRESENTATIVE ST. GERMAIN**

A CONCURRENT RESOLUTION

To express the heartfelt condolences of the Legislature of Louisiana to the family of Sartola S. Cancienne.

**HOUSE CONCURRENT RESOLUTION NO. 358—
BY REPRESENTATIVE SCALISE**

A CONCURRENT RESOLUTION

To urge and request the Department of Homeland Security to select New Orleans as the regional headquarters for homeland security.

**HOUSE CONCURRENT RESOLUTION NO. 359—
BY REPRESENTATIVE FUTRELL**

A CONCURRENT RESOLUTION

To urge and request the Legislative Fiscal Office to monitor the implementation of Senate Bill No. 654 and to report on its effect and effectiveness.

HOUSE CONCURRENT RESOLUTION NO. 360—

BY REPRESENTATIVES M. POWELL, DOERGE, MONTGOMERY, JANE SMITH, AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON, AND MALONE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of James Q. Wellborn of Bossier City.

HOUSE CONCURRENT RESOLUTION NO. 361—

BY REPRESENTATIVE SALTER AND SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits and contractors to fairly and appropriately reimburse Louisiana rural and independent pharmacies across the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 362—

BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To commend Lieutenant Frank Van Dalen upon his retirement from the New Orleans Police Department.

HOUSE CONCURRENT RESOLUTION NO. 363—

BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To commend Lieutenant Stanley Hoogerwerf upon his retirement from the New Orleans Police Department.

HOUSE CONCURRENT RESOLUTION NO. 364—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and recognize the Rev. Clarence E. Glover, Jr. for his dedicated service of thirty years in the ministry.

HOUSE CONCURRENT RESOLUTION NO. 365—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to compile data from each city, parish, and other local public school system, for the most recent school year for which such data is available, on the rate at which the system employed a substitute teacher to fill the absence of a regular classroom teacher, the rate at which regular classroom teacher absences were filled with teacher aides, other teachers covering additional or combined classrooms, or other school personnel that were not paid substitutes, and the percent of teacher absences that were unfilled.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Ellington asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 350—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to be known as the Atchafalaya Parkway Commission to study the need for constructing and managing improvements to Louisiana Highway 105 and adjacent

properties between the Butte La Rose Interchange on I-10 in St. Martin Parish and U.S. Highway 190 in St. Landry Parish in Krotz Springs, Louisiana, and to make recommendations regarding same to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2005 Regular Session.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Holden	Romero	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 351—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To create an advisory committee to study water transportation development and expansion in St. Martin Parish including but not limited to identifying the need for such development and expansion and identifying potential funding sources and to make recommendations to the House and Senate Transportation, Highways and Public Works Committees prior to the commencement of the 2005 Regular Session.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
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Adley	Dupre	Kostelka
Amedee	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Heitmeier	Nevers
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Holden	Romero	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 356—

BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To express legislative support for federal management of wild horses on federal lands.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Total—35		

NAYS

Total—0

ABSENT

Heitmeier	McPherson
Holden	Schedler
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 357—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To express the heartfelt condolences of the Legislature of Louisiana to the family of Sartola S. Cancienne.

The resolution was read by title. Senator B. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Hainkel	Holden	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 358—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To urge and request the Department of Homeland Security to select New Orleans as the regional headquarters for homeland security.

The resolution was read by title. Senator Barham moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Kostelka
Adley	Dupre	Lentini
Amedee	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson

Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Heitmeier	Holden	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 359—

BY REPRESENTATIVE FUTRELL

A CONCURRENT RESOLUTION

To urge and request the Legislative Fiscal Office to monitor the implementation of Senate Bill No. 654 and to report on its effect and effectiveness.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 360—

BY REPRESENTATIVES M. POWELL, DOERGE, MONTGOMERY, JANE SMITH, AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON, AND MALONE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of James Q. Wellborn of Bossier City.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Holden
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 361—
BY REPRESENTATIVE SALTER AND SENATOR HINES
A CONCURRENT RESOLUTION

To urge and request the Office of Group Benefits and contractors to fairly and appropriately reimburse Louisiana rural and independent pharmacies across the state of Louisiana.

The resolution was read by title. Senator Hines moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Bajoie
Total—2

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 362—
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To commend Lieutenant Frank Van Dalen upon his retirement from the New Orleans Police Department.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 363—
BY REPRESENTATIVE BADON
A CONCURRENT RESOLUTION

To commend Lieutenant Stanley Hoogerwerf upon his retirement from the New Orleans Police Department.

The resolution was read by title. Senator Duplessis moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	

Total—38

NAYS

Total—0

ABSENT

Heitmeier

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 364—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and recognize the Rev. Clarence E. Glover, Jr. for his dedicated service of thirty years in the ministry.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Boasso

Heitmeier

Total—2

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 365—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to compile data from each city, parish, and other local public school system, for the most recent school year for which such data is available, on the rate at which the system employed a substitute teacher to fill the absence of a regular classroom teacher, the rate at which regular classroom teacher absences were filled with teacher aides, other teachers covering additional or combined

classrooms, or other school personnel that were not paid substitutes, and the percent of teacher absences that were unfilled.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Lentini
Adley	Dupre	Malone
Amedee	Ellington	Marionneaux
Bajoie	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Total—35		

NAYS

Hainkel	Kostelka	Smith
Total—3		

ABSENT

Heitmeier

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 349—

BY REPRESENTATIVE KENNARD, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMAN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend Hallie Rice upon her retirement as supervisor of House Administrative Services and to recognize her contributions to the legislature.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Holden	Schedler
Chaisson	Hollis	Smith
Cheek	Irons	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—37		

NAYS

Total—0

ABSENT

Heitmeier	Lentini
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 281—
BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current law and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 289—
BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and Senate Committee on Health and Welfare to meet and function as a joint committee to study and recommend policy directives for the state of Louisiana regarding issues related to juvenile competency, which may include the implementation of a pilot project to develop a process of competency determination, restoration, and mental health intervention, recommendations for a plan of statewide implementation, and determination of the cost of implementation

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 300—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2005 Regular Session of the Legislature the provisions of R.S. 28:382.1(A)(2), relative to the development and implementation of a framework for human services delivery.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 332—

BY REPRESENTATIVE DORSEY

A CONCURRENT RESOLUTION

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the prevalence of cervical cancer and human papillomavirus in women.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	

NAYS

Total—0

ABSENT

Heitmeier

Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Senator Bajoie in the Chair

HOUSE CONCURRENT RESOLUTION NO. 353—

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Fair Housing Act to allow for the application of local zoning ordinances, land-use regulations, and permitting standards to group homes for recovering substance abusers in residential neighborhoods; and to prohibit any state agency from having any contractual relationship with an entity that operates group homes for recovering substance abusers who do not agree to comply with local zoning ordinances, land-use regulations, and occupancy limits.

The resolution was read by title.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Original House Concurrent Resolution No. 353 by Representative Scalise

AMENDMENT NO. 1

On page 3, delete lines 12 through 15.

On motion of Senator Hines, the amendments were adopted.

Senator Hollis moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boasso	Gautreaux, N	Nevers
Boissiere	Hainkel	Romero
Cain	Hollis	Schedler
Chaisson	Irons	Smith
Cheek	Jackson	Theunissen
Cravins	Jones	Ullo
Dardenne	Kostelka	
Duplessis	Lentini	

Total—37

NAYS

Total—0

ABSENT

Heitmeier

Total—2

Holden

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 354—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Frank Pitts, former Southern University athlete and National Football League great.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Mr. President in the Chair

Motion To Consider

Senator Chaisson moved the adoption of a motion to consider House Bill No. 1413 on third reading and final passage after the 82nd calendar day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux

Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared that the motion to consider House Bill No. 1413 after the 82nd calendar day was adopted.

Motion To Consider

Senator McPherson moved the adoption of a motion to consider House Bill No. 960 on third reading and final passage after the 82nd calendar day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Heitmeier
Total—1

The Chair declared that the motion to consider House Bill No. 960 after the 82nd calendar day was adopted.

Reconsideration

On motion of Senator Barham, pursuant to the previous notice given, the vote by which the following bill failed to pass on Friday, June 18, 2004 was reconsidered.

HOUSE BILL NO. 777—

BY REPRESENTATIVES HAMMETT, HILL, KENNEY,
MONTGOMERY, TOWNSEND, FRITH, AND FUTRELL

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(C) of the Constitution of Louisiana, to prohibit the taxation of motor fuel, gasoline, or certain diesel fuel by a political subdivision of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Motion To Consider

Senator Barham moved the adoption of a motion to consider House Bill No. 777 on reconsideration after the 82nd calendar day.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Dupre	McPherson
Amedee	Ellington	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux, N	Nevers
Cain	Jones	Romero
Cheek	Kostelka	Schedler
Cravins	Malone	Smith
Dardenne	Marionneaux	Theunissen
Total—24		

NAYS

Mr. President	Gautreaux, B	Hollis
Bajoie	Hainkel	Irons
Boissiere	Heitmeier	Lentini
Duplessis	Holden	Ullo
Total—12		

ABSENT

Chaisson	Fields	Jackson
Total—3		

The Chair declared the Senate refused to adopt the motion to consider House Bill No. 777.

On motion of Senator Barham, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 40—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 39:199(G), relative to information technology; to provide for a program for the acquisition of data processing equipment and software that allows small businesses to participate; to provide for the establishment of procedures; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 40 by Senator McPherson

AMENDMENT NO. 1

On page 1, line 14, after "defined" delete the remainder of the line and on line 15, delete "administration." and insert " as an employer with fifty or fewer employees."

AMENDMENT NO. 2

On page 2, line 7, between "Budget" and "on the" insert "and to the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs"

AMENDMENT NO. 3

On page 2, line 9, after "budget." insert "Such report shall include the goals and awards from the previous year, a list of unsuccessful awards as described in Paragraph (4) of this Subsection, and the goals for the upcoming year."

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—37		

NAYS

Boasso
Total—1

ABSENT

Kostelka
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 44—

BY SENATOR NEVERS AND REPRESENTATIVE STRAIN
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.12 of the Constitution of Louisiana, relative to providing funds for the support of dairy farmers; to establish the Dairy Farmer Support Fund as a special fund in the state treasury; to provide for sources of revenue, and for deposit and uses of monies in the fund; to authorize the legislature by law to establish and implement programs to assist Louisiana dairy farmers; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 44 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 3, after "support of" delete the remainder of the line and insert the following: "Louisiana farmers; to establish the Agricultural Product"

AMENDMENT NO. 2

On page 1, line 6, after "law" delete the remainder of the line and insert the following: "to provide for a program of assistance to Louisiana farmers; to"

AMENDMENT NO. 3

On page 1, delete lines 13 through 15 in their entirety and insert the following:

"§10.12. Farmer assistance program; Agricultural Product Support Fund

Article VII, Section 10.12 is all proposed new law.

A. The legislature is authorized to provide by law for a program to assist Louisiana farmers with support and expansion of their industry.

B.(1) The Agricultural Product Support Fund is hereby established in the state treasury"

AMENDMENT NO. 4

On page 1, line 16, after "fund" and before the period "." insert ", hereinafter referred to as the "fund""

AMENDMENT NO. 5

On page 1, line 17, after "Department of" and before the comma "," change "Agriculture and Forestry" to "Economic Development"

AMENDMENT NO. 6

On page 2, line 1, after "Louisiana" and before "products" change "dairy" to "agricultural"

AMENDMENT NO. 7

On page 2, at the end of line 4, insert the following: "After compliance with the requirements of Article VII, Section 9(B) of this constitution relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited into the state treasury from the foregoing sources shall be deposited in and credited to the fund. Monies in the fund shall be subject to appropriation in accordance with Paragraph (2) of this Section. All unexpended and unencumbered monies remaining in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund."

AMENDMENT NO. 8

On page 2, at the beginning of line 5, delete "B. The monies in the Dairy Farmer" and insert the following:

"(2) The monies in the Agricultural Product"

AMENDMENT NO. 9

On page 2, line 6, after "Department of" and before the comma "," change "Agriculture and Forestry" to "Economic Development"

AMENDMENT NO. 10

On page 2, line 7, after "law" delete the remainder of the line, delete line 8 in its entirety and insert the following: "for assistance to Louisiana farmers with support and expansion of their industry."

AMENDMENT NO. 11

On page 2, delete lines 17 through 19 in their entirety and insert the following: "To authorize the legislature to provide by law for a program to assist Louisiana farmers with support and expansion of their industry; to establish the Agricultural Product Support Fund as a special fund in"

AMENDMENT NO. 12

On page 2, at the end of line 20, change "uses" to "use"

AMENDMENT NO. 13

On page 2, delete line 21 in its entirety and insert the following: "of monies appropriated from the fund for assistance to Louisiana farmers. (Adds Article VII, Section 10.12)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 44 by Senator Nevers

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 2, 3, 5, 6, 8, 9, 10, 11 and 13 proposed by the House Committee on Appropriations and adopted by the House of Representatives on June 16, 2004.

AMENDMENT NO. 2

On page 1, line 3, after "support of" delete the remainder of the line and insert the following: "Louisiana farmers and fishermen; to establish the Agricultural and Seafood Products"

AMENDMENT NO. 3

On page 1, line 6, after "law" delete the remainder of the line and insert the following: "to provide for programs of assistance to Louisiana farmers and fishermen; to"

AMENDMENT NO. 4

On page 1, delete lines 13 through 15 in their entirety and insert the following:

"§10.12. Farmers and fishermen assistance programs; Agricultural and Seafood Products Support Fund

Article VII, Section 10.12 is all proposed new law.

A. The legislature is authorized to provide by law for programs to assist Louisiana farmers and fishermen with support and expansion of their industries.

B.(1) The Agricultural and Seafood Products Support Fund is hereby established in the state treasury"

AMENDMENT NO. 5

On page 1, at the end of line 16, insert "by the state"

AMENDMENT NO. 6

On page 1, line 17, after "licensing" delete the remainder of the line, and insert "of trademarks or"

AMENDMENT NO. 7

On page 2, line 1, after "Louisiana" and before "products" change "dairy" to "agricultural and seafood"

AMENDMENT NO. 8

On page 2, delete lines 5 and 6 in their entirety and insert the following:

"(2) The monies in the Agricultural and Seafood Products Support Fund may be appropriated solely"

AMENDMENT NO. 9

On page 2, line 7, after "law" delete the remainder of the line, delete line 8 in its entirety and insert the following: "for assistance to Louisiana farmers and fishermen with support and expansion of their industries."

AMENDMENT NO. 10

On page 2, delete lines 17 through 19 in their entirety and insert the following: "To authorize the legislature to provide by law for programs to assist Louisiana farmers and fishermen with support and expansion of their industries; to establish the Agricultural and Seafood Products Support Fund as a special fund in"

AMENDMENT NO. 11

On page 2, delete line 21 in its entirety and insert the following: "of monies appropriated from the fund for assistance to Louisiana farmers and fishermen. (Adds Article VII, Section 10.12)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ritchie to Engrossed Senate Bill No. 44 by Senator Nevers

AMENDMENT NO. 1

Delete House Floor Amendments No. 8 and 9 proposed by Representative Alario and adopted by the House on June 17, 2004.

AMENDMENT NO. 2

On page 2, delete lines 5 through 8 in their entirety and insert the following:

"(2) The monies in the Agricultural and Seafood Products Support Fund may be appropriated solely for the programs and purposes as required by the Department of Economic Development for assistance to Louisiana farmers and fishermen with support and expansion of their industries."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Strain to Engrossed Senate Bill No. 44 by Senator Nevers

AMENDMENT NO. 1

On page 2, line 20, after "treasury" and the semicolon ";" insert the following: "to provide for the sources of monies in the fund to be from the licensing of trademarks or labels for use in promoting Louisiana agricultural and seafood products, grants, gifts, donations received by the state, any other revenues as provided for by law, and monies appropriated by the legislature to the fund;"

Senator Nevers moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Boissiere
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Nevers moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 545—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 33:4701(A) and 4702(B)(1), (2)(introductory paragraph), (b), (f), (g), (h), and (i), (4) and (6), and (C)(1), 4703(A), 4706(B), 4707(A)(1) and (4), 4708(A), (B)(2) and (4) and 4880, and to enact R.S. 33:4702(B)(2)(j) and (k), and to rename Part I of Chapter 12-A of Title 33 of the Louisiana Revised Statutes of 1950, "New Orleans Regional Business Park," relative to the New Orleans Business and Industrial District; to change the name of the district; to provide for the composition of the board; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 545 by Senator Duplessis

AMENDMENT NO. 1

On page 1, delete lines 2 through 8 in their entirety and insert the following: "To amend and reenact the heading of Part I of Chapter 12-A of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:4701(A), 4702(B)(1), (2), (4), and (6) and (C)(1), 4703(A), 4706(B), 4707(A)(1) and (4), 4708(A) and (B)(introductory paragraph), (2), and (4) and 4880, and to repeal R.S. 33:4702(B)(3), relative to the New Orleans Business and Industrial District; to change the name of the district; to provide relative to the membership of the board of commissioners; to provide relative to the appointment and qualifications of board members; to provide relative to terms of office; to provide relative to the selection of officers by the board; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 11 through 15 in their entirety and insert the following:

"Section 1. The heading of Part I of Chapter 12-A of Title 33 of the Louisiana Revised Statutes of 1950 and R.S. 33:4701(A), 4702(B)(1), (2), (4), and (6) and (C)(1), 4703(A), 4706(B), 4707(A)(1) and (4), 4708(A) and (B)(introductory paragraph), (2), and (4) and 4880; are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 2 delete lines 22 through 28 and on page 3 delete lines 1 through 18 in their entirety and insert the following:

"(2) The board shall be composed of ~~twelve~~ fifteen members who shall be appointed as follows:

(a) The New Orleans East Business Association shall appoint one member who shall serve an initial term of one year.

(b) The ~~Eastern New Orleans Area Council of the Chamber of Commerce~~ New Orleans Chamber Inc. shall appoint one member who shall serve an initial term of one year.

(c) The state representative whose representative district is defined in R.S. ~~24:35.4(A)(100)~~ 24:35.5(A)(100) shall appoint one member who shall serve an initial term of two years.

(d) The state senator whose senatorial district is defined in R.S. ~~24:35~~ 24:35.1 as District 2 shall appoint two members each of whom shall serve an initial term of three years.

(e) The councilman of the councilmanic district in which the special municipal district is located shall appoint one member who shall serve an initial term of three years.

(f) ~~The New Orleans Chapter of the National Business League shall appoint one member who shall serve an initial term of two years~~ mayor of the city of New Orleans shall appoint two members each of whom shall serve an initial term of three years.

(g) The state representative whose representative district is defined in R.S. ~~24:35.4(A)(103)~~ 24:35.5(A)(103) shall appoint one member who shall serve an initial term of two years.

(h) The state representative whose representative district is defined in R.S. ~~24:35.4(A)(101)~~ 24:35.5(A)(101) shall appoint one member who shall serve an initial term of two years.

(i) The New Orleans East Economic Development Foundation shall appoint one member who shall serve an initial term of one year.

(j) The governor shall appoint one member who shall serve an initial term of one year.

(k) The lieutenant governor shall appoint one member who shall serve an initial term of one year.

(l) The board of commissioners of the Port of New Orleans shall appoint one member who shall serve an initial term of two years.

(m) The Regional Planning Commission for Jefferson, Orleans, Plaquemines, St. Bernard, and St. Tammany parishes shall appoint one member who shall serve an initial term of two years."

AMENDMENT NO. 4

On page 4, line 2, change "(k)" to "(m)"

AMENDMENT NO. 5

On page 4, line 4, change "(k)" to "(m)"

AMENDMENT NO. 6

On page 4, delete lines 6 through 8 in their entirety

AMENDMENT NO. 7

On page 4, at the beginning of line 9, change "(c)" to "(b)"

AMENDMENT NO. 8

On page 4, line 10, change "(k)" to "(m)"

AMENDMENT NO. 9

On page 6, at the beginning of line 14, change "hereafter ascribed to them," to "as provided in this Subsection."

AMENDMENT NO. 10

On page 7, between lines 7 and 8 insert the following:

"Section 2. R.S. 33:4702(B)(3) is hereby repealed in its entirety.

Section 3. The members of the board of commissioners of the New Orleans Business and Industrial District serving immediately prior to the effective date of this Act shall continue to serve as members of the board of commissioners of the New Orleans Regional Business Park and shall serve for the terms to which they were appointed, except that the terms of the members appointed by the Eastern New Orleans Area Council of the Chamber of Commerce and the New Orleans Chapter of the National Business League shall terminate on the effective date of this Act and the members to be appointed pursuant to R.S. 33:4702(B)(2)(b) and (j) through (m)

shall be appointed to initial terms as provided in R.S. 33:4702(B)(2)(b) and (j) through (m)."

AMENDMENT NO. 11

On page 7, at the beginning of line 8, change "Section 2." to "Section 4."

Senator Duplessis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Duplessis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senator Ellington in the Chair

SENATE BILL NO. 622—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:102(A) and (B)(3)(d), and 542(A), (B), (C)(1)(introductory paragraph), and (D), and to enact R.S. 11:102(B)(5), relative to state retirement systems; to provide relative to payment of unfunded accrued liabilities of the Louisiana State Employees' Retirement System; to provide for amortization of unfunded accrued liabilities over a forty-year period or in accordance with standards promulgated by the Governmental Accounting Standards Board from the time of occurrence; to include negative employee experience account balances in the unfunded accrued liability; to provide for experience account credits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 622 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "(B)" and before "(3)" insert "(1) and"

AMENDMENT NO. 2

On page 1, line 6, after "a" and before "-year" delete "forty" and insert "thirty"

AMENDMENT NO. 3

On page 1, line 8, after "occurrence;" and before "to" insert "to provide for minimum employer contributions; to provide for an Employer Credit Account; to provide for credits to and debits from the Employee Experience Account;"

AMENDMENT NO. 4

On page 1, line 8, after "include" and before "in" delete "negative employee experience account balances" and insert "any negative Employee Experience Account balances"

AMENDMENT NO. 5

On page 1, line 9, after "for" and before "credits;" delete "experience account" and insert "Employee Experience Account"

AMENDMENT NO. 6

On page 1, line 13, after "(3)" and before "(d)" insert "(1) and"

AMENDMENT NO. 7

On page 2, delete line 3 in its entirety and insert in lieu thereof the following: "B.(1) ~~For~~ Except as provided in Paragraph (5) of this Subsection, for each fiscal year, commencing with Fiscal Year 1989-1990, for each of the public retirement systems referenced in Subsection A of this Section, the legislature shall set the required employer contribution rate equal to the actuarially required employer contribution, as determined under Paragraph (3) of this Subsection, divided by the total projected payroll of all active members of each particular system for the fiscal year. Each entity funding a portion of a member's salary shall also fund the employer's contribution on that portion of the member's salary at the employer contribution rate specified in this Subsection.

* * *

AMENDMENT NO. 8

On page 2, at the end of line 10, insert a comma ",."

AMENDMENT NO. 9

On page 2, line 11, after "necessary" delete the comma ",".

AMENDMENT NO. 10

On page 2, line 14, after "year" and before "after" delete "commencing" and insert "beginning"

AMENDMENT NO. 11

On page 3, line 17, after "2004" and before "and" insert a comma ",."

AMENDMENT NO. 12

On page 3, line 24, after "the" and before "unfunded" delete "initial"

AMENDMENT NO. 13

On page 3, line 25, after "liability" and before "is" insert "that existed on June 30, 1988."

AMENDMENT NO. 14

On page 3, line 25, after "the" and before "between" delete "excess" and insert "difference"

AMENDMENT NO. 15

On page 3, line 26, after "contribution" delete the remainder of the line and delete line 27 and insert "required by Article X, Section 29 of the Constitution of Louisiana and the required employer contribution for the fiscal year computed pursuant to Paragraph (3) of this Subsection shall"

AMENDMENT NO. 16

On page 3, line 28, after "Account." delete the remainder of the line and delete line 29 and, on page 4, delete lines 1 through 5 and insert "The Employer Credit Account shall be used exclusively to reduce any unfunded accrued liability created before July 1, 2004."

AMENDMENT NO. 17

On page 4, line 11, change "Up to an amount equal to" to "To the extent permitted by Paragraph (3) of this Subsection, an amount equal to not to exceed"

AMENDMENT NO. 18

On page 4, line 13, change "Up to an amount equal to" to "To the extent permitted by Paragraph (3) of this Subsection, an amount equal to not to exceed"

AMENDMENT NO. 19

On page 4, line 24, change "any benefit" to "a cost-of-living adjustment"

AMENDMENT NO. 20

On page 4, line 28, after "C.(1)" delete the remainder of the line and insert "In accordance with the provisions of this Section, the board of trustees"

AMENDMENT NO. 21

On page 5, line 1, at the beginning of the line delete "of this Section."

AMENDMENT NO. 22

On page 5, line 1, after "the" and before "Senate" insert "president of the"

AMENDMENT NO. 23

On page 5, line 1, after "and" and before "House" insert "the speaker of the" and change "committees on" to "of Representatives"

AMENDMENT NO. 24

On page 5, at the beginning of line 2, delete "retirement"

AMENDMENT NO. 25

On page 5, line 2, after "system" and before "grant" insert "be permitted to"

AMENDMENT NO. 26

On page 5, line 12, delete "Prior to granting a cost-of-living increase in" and delete line 13 and on line 14 delete "legislative approval." and insert "The board of trustees shall not grant a cost-of-living increase unless such cost-of-living increase has been approved by the legislature by concurrent resolution adopted by the favorable vote of a majority of the elected members of each house."

AMENDMENT NO. 27

On page 5, line 20, after "Subsection" and before "shall" insert "shall begin on the July first following legislative approval."

AMENDMENT NO. 28

On page 5, line 20, after "annually" delete the remainder of the line and on line 21 delete "first of every year" and insert a comma ","

AMENDMENT NO. 29

On page 5, line 23, after "debit the" and before "as" delete "employee experience account" and insert "Employee Experience Account"

AMENDMENT NO. 30

On page 5, at the beginning of the line 26, delete "employee experience account" and insert "Employee Experience Account"

AMENDMENT NO. 32

On page 5, line 28, after "Section" delete the comma ","

AMENDMENT NO. 33

On page 5, line 28, after "permanently" insert a comma ","

HOUSE FLOOR AMENDMENT

Amendments proposed by Representative McDonald to Engrossed Senate Bill No. 622 by Senator Boissiere

AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Retirement, delete line 16 and insert in lieu thereof, "On page 1, line 13, after "(B)" and before "(3)" insert "(1) and"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 622 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "(B)(3)(d)," delete "and"

AMENDMENT NO. 2

On page 1, line 3, after "(D)," insert "and 883.1(A), (B), and (C)(1)(introductory paragraph),"

AMENDMENT NO. 3

On page 1, line 5, after "System" and before the semicolon ";" insert ", the Teachers' Retirement System of Louisiana, and the Louisiana School Employees' Retirement System"

AMENDMENT NO. 4

Page 16 SENATE

June 20, 2004

On page 2, line 12, change "Item (v)" to "Items (v), (vi), and (vii)"

AMENDMENT NO. 5

On page 2, line 19, change "Item (v)" to "Items (v), (vi), and (vii)"

AMENDMENT NO. 6

On page 2, line 24, change "Item (v)" to "Items (v), (vi), and (vii)"

AMENDMENT NO. 7

On page 3, line 1, change "Item (v)" to "Items (v), (vi), and (vii)"

AMENDMENT NO. 8

On page 3, line 9, change "2001," to "1999,"

AMENDMENT NO. 9

On page 3, line 15, change "2001," to "1999,"

AMENDMENT NO. 10

On page 3, between lines 19 and 20, insert the following:

"(vi) Effective July 1, 2004, and beginning with the fiscal year ending June 30, 2001, the amortization period for the changes, gains, or losses of the Louisiana School Employees' Retirement System provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before the fiscal year ending June 30, 2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with the fiscal year ending June 30, 2004, and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount.

"(vii) Effective July 1, 2004, and beginning with the fiscal year ending June 30, 2001, the amortization period for the changes, gains, or losses of the Teachers' Retirement System of Louisiana provided in Items (i) through (iv) of this Subparagraph shall be thirty years, or in accordance with standards promulgated by the Governmental Accounting Standards Board, from the year in which the change, gain, or loss occurred. The outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph before the fiscal year ending June 30, 2001, shall be amortized as a level dollar amount from July 1, 2004, through June 30, 2029. Beginning with the fiscal year ending June 30, 2004 and for each fiscal year thereafter, the outstanding balances of amortization bases established pursuant to Items (i) through (iv) of this Subparagraph shall be amortized as a level dollar amount."

AMENDMENT NO. 11

On page 3, line 22, after "Section, the" and before "employer" insert "gross"

AMENDMENT NO. 12

On page 3, line 23, after "rate" and before "for" insert a comma "," and "exclusive of any funds from the Texaco settlement,"

AMENDMENT NO. 13

On page 3, line 23, after "System" and before "shall" insert "and the Teachers' Retirement System of Louisiana"

AMENDMENT NO. 14

49th DAY'S PROCEEDINGS

Delete Amendment Nos. 14, 15 and 16 in the set of House Committee Amendments proposed by the House Committee on Retirement and adopted by the House of Representatives on June 16, 2004.

AMENDMENT NO. 15

On page 3, line 25, after "fiscal year," delete the remainder of the line, delete lines 26 through 29 in their entirety and on page 4, delete lines 1 through 5 in their entirety and insert in lieu thereof the following: "the difference, if any, by which the fixed minimum employer contribution rate established pursuant to this Paragraph exceeds the greater of the minimum employer contribution required by Article X, Section 29 of the Constitution of Louisiana or the statutory minimum employer contribution rate calculated according to the methodology provided for in Items (i) through (iv) of Paragraph (3) of this Subsection shall be accumulated in an Employer Credit Account for the respective system. The Employer Credit Account shall be credited with that portion of the system's net investment income attributable to the balance in the account. The Employer Credit Account of a system shall be used exclusively to reduce any unfunded accrued liability of that system created before July 1, 2004, and shall not be debited for any other purpose."

AMENDMENT NO. 16

On page 6, between lines 9 and 10, insert the following:

"§883.1. Employee Experience Account

A.(1) Effective July 1, 2004, the balance in the Employee Experience Account shall be zero.

(2) The Employee Experience Account shall be credited as follows:

~~(1)(a) An~~ To the extent permitted by Paragraph (3) of this Subsection, an amount equal to not to exceed fifty percent of the prior year's net investment experience gain as determined by the system's actuary.

~~(2)(b) An~~ To the extent permitted by Paragraph (3) of this Subsection, an amount equal to not to exceed that portion of the system's net investment income attributable to the balance in the Employee Experience Account during the prior year.

(3) In no event shall the amount in the Employee Experience Account exceed the reserve necessary to grant two cost-of-living adjustments as provided in Subsection C of this Section.

~~B. The employee experience account~~ Employee Experience Account shall be debited as follows:

~~(1) An amount equal to fifty percent of the prior year's net investment experience loss as determined by the system's actuary.~~

~~(2)(1) An amount equal to that portion of the system's net investment loss attributable to the balance in the employee experience account~~ Employee Experience Account during the prior year.

~~(3)(2) An amount sufficient to fund any benefit~~ a cost-of-living adjustment granted pursuant to Subsection C of this Section.

(3) In no event shall the amount in the Employee Experience Account fall below zero.

C.(1) ~~The~~ In accordance with the provisions of this Section, the board of trustees shall grant may recommend to the president of the Senate and the speaker of the House of Representatives that the system be permitted to grant a cost-of-living increase to retirees and beneficiaries whenever the balance in the ~~employee experience account~~ Employee Experience Account is sufficient to ~~fully~~ fund such benefit fully on an actuarial basis, as determined by the system's actuary. If the legislative ~~auditor's~~ actuary disagrees with the

determination of the system's actuary, ~~the matter shall be determined by majority a cost-of-living increase shall not be granted, vote of the Louisiana Public Retirement Systems' Actuarial Committee. The board of trustees shall not grant a cost-of-living increase unless such cost-of-living increase has been approved by the legislature by concurrent resolution adopted by a favorable vote of a majority of the elected members of each house. The Any increase granted shall begin on the July first following legislative approval, shall be payable annually, on July first of every year and shall equal an amount not to exceed the lesser of:~~

* * *

AMENDMENT NO. 17

On page 6, line 11, after "System" and before "be" insert "or of the Teachers' Retirement System of Louisiana"

Senator Boissiere moved to concur in the amendments proposed by the House.

Motion

Senator Barham moved as a substitute motion that the Senate reject the amendments proposed by the House.

Senator Boissiere objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Barham	Hainkel	Theunissen
Boasso	Irons	
Dardenne	Schedler	
Total—7		

NAYS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Bajoie	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Jackson	Smith
Duplessis	Jones	
Dupre	Kostelka	
Total—31		

ABSENT

Ullo
Total—1

The Chair declared the Senate refused to reject the amendments proposed by the House.

ROLL CALL

The roll was called on the original motion to concur in the amendments proposed by the House with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Amedee	Gautreaux, B	Marionneaux
Bajoie	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Duplessis	Jackson	Ullo
Dupre	Jones	
Ellington	Kostelka	
Total—34		

NAYS

Barham	Dardenne	Theunissen
Boasso	Schedler	
Total—5		

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Mr. President in the Chair**SENATE BILL NO. 781—
BY SENATOR LENTINI****AN ACT**

To enact R.S. 15:567.1, relative to capital cases; to provide with respect to mental incapacity to proceed to execution; to provide for procedures authorizing a defendant to raise the issue of mental incapacity to proceed to execution; to provide for the filing of a petition and to provide for the contents of that petition; to provide with respect to the burden of proof and the introduction of evidence; to provide for the submission of certain records, data, reports, and other information; to provide for a waiver of confidentiality and privilege with respect to information submitted; to provide for an independent psychological or psychiatric examination; to provide for the dismissal of the petition in certain circumstances; to provide with respect to treatment of a defendant found to be incompetent to proceed to execution; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Page 18 SENATE

June 20, 2004

49th DAY'S PROCEEDINGS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 781 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the end of line 2, change "incapacity" to "incompetence"

AMENDMENT NO. 2

On page 1, line 4, after "mental" and before "to" change "incapacity" to "incompetence"

AMENDMENT NO. 3

On page 2, line 2, after "when" delete the remainder of the line and at the beginning of line 3, delete "diagnosable mental disease or defect,"

AMENDMENT NO. 4

On page 2, line 4, after "executed" and before "and" delete the comma "," and "that execution is imminent"

AMENDMENT NO. 5

On page 2, line 6, after "his" and before "mental" delete "or her"

AMENDMENT NO. 6

On page 2, line 10, after "file" and before "petition" change "said" to "the"

AMENDMENT NO. 7

On page 2, line 20, after "his" and before "competency" delete "or her"

AMENDMENT NO. 8

On page 3, line 18, after "criminal" and before "proceeding" insert a comma "," and "state post-conviction, or federal habeas corpus"

AMENDMENT NO. 9

On page 3, line 22, after "regard to" delete the remainder of the line and at the beginning of line 23, change "defendant, and its impact on his" to "the defendant's"

AMENDMENT NO. 10

On page 3, line 23, after "executed" delete the remainder of the line and at the beginning of line 24, delete "execution is imminent,"

AMENDMENT NO. 11

On page 4, line 7, after "his" and before "opinion" delete "or her"

AMENDMENT NO. 12

On page 4, line 14, after "his" and before "opinion" delete "or her"

AMENDMENT NO. 13

On page 4, line 17, after "all" and before "medical" insert "records solely relative to the issue of the defendant's competence to proceed to execution, which may include"

AMENDMENT NO. 14

On page 5, line 4, after "petitioner" delete the remainder of the line and at the beginning of line 5, delete "disease or defect,"

AMENDMENT NO. 15

On page 5, line 6, after "executed" and before "and" delete the comma "," and "that execution is imminent,"

AMENDMENT NO. 16

On page 5, line 7, after "is" delete the remainder of the line and delete line 8 in its entirety

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 785—

BY SENATOR JONES

AN ACT

To enact R.S. 17:3226(D) and 3228(D), relative to the authority of the Board of Regents to establish learning centers; to authorize the Board of Regents to establish the Northeast Louisiana Delta Learning Center; to provide for the management, and supervision of the learning center; to authorize the establishment of a commission and advisory council; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 785 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact Section 7(A) and (B)(1) of Act No. 1225 of the 2003 Regular Session of the Legislature and to"

AMENDMENT NO. 2

On page 1, at the end of line 5, delete "a commission" and at the beginning of line 6 delete "and" and insert in lieu thereof "an"

AMENDMENT NO. 3

On page 1, line 6, after "council;" and before "and" insert "to provide for the use of the facility known as the Swanson Correctional Center for Youth-Madison Parish Unit and for the use of certain savings attributed to reduction in services and employees at such facility;"

AMENDMENT NO. 4

On page 1, line 14, after "education" delete the remainder of the line and delete lines 15 and 16 and at the beginning of line 17 delete "Tensas Parishes" and insert the following: "and others to provide a comprehensive offering of college courses and other educational services in the Northwest Louisiana delta region to the residents of East Carroll, Madison, and Tensas parishes"

AMENDMENT NO. 5

On page 2, line 2, after "R.S. 17:3228(D)," change "provide" to "be responsible"

AMENDMENT NO. 6

On page 2, line 6, after "The Board of" and before "the Board" change "Trustees for State Colleges and Universities or" to "Supervisors for the University of Louisiana System and"

AMENDMENT NO. 7

On page 2, line 10, after "institutions" and the comma "," delete the remainder of the line and delete lines 11 and 12 in their entirety.

AMENDMENT NO. 8

On page 2, line 17, after "D.(1)" delete the remainder of the line and delete lines 18 through 29 and on page 3, delete lines 1 through 26, and insert: "The Board of Regents shall be responsible for the management and supervision of the Northeast Delta Learning Center.

(2) In managing and supervising the Northeast Delta Learning Center, the Board of Regents shall have the following duties, responsibilities, and powers:"

AMENDMENT NO. 9

On page 3, line 27, change "(c) The commission shall be authorized to request and/or" to "(a) The board may request and"

AMENDMENT NO. 10

On page 3, line 28, change "purpose" to "purposes"

AMENDMENT NO. 11

On page 3, line 28, after "center" and before "but" delete "such as" and insert a comma "," and "including"

AMENDMENT NO. 12

On page 3, delete line 29, and insert " to planning, acquisition, and development. The board shall employ a"

AMENDMENT NO. 13

On page 4, line 1, change "commission" to "board"

AMENDMENT NO. 14

On page 4, line 3, change "commission" to "board"

AMENDMENT NO. 15

On page 4, line 4, change "have as its purpose" to "provide for"

AMENDMENT NO. 16

On page 4, at the beginning of line 8, change "(d)" to "(b)"

AMENDMENT NO. 17

On page 4, line 8, change "commission" to "board"

AMENDMENT NO. 18

On page 4, line 9, after "services" insert a comma ","

AMENDMENT NO. 19

On page 4, line 13, after "districts" insert a comma ","

AMENDMENT NO. 20

On page 4, line 19, after "opportunities" insert a comma ","

AMENDMENT NO. 21

On page 4, line 20, after "technology" delete the remainder of the line and delete line 21 and insert the following: "and communications. (v) Serving as an incubator for small businesses."

AMENDMENT NO. 22

On page 4, delete lines 22 and 23 and insert the following:

"(vi) Serving as the location for the consolidation of Tallulah High School and Reuben McCall Senior High School of the Madison Parish school system."

AMENDMENT NO. 23

On page 4, at the beginning of line 24, change "(e) The commission" to "(c) The board"

AMENDMENT NO. 24

On page 4, line 25, change "commission" to "board"

AMENDMENT NO. 25

On page 4, line 26, after "input" insert a comma ","

AMENDMENT NO. 26

On page 4, at the beginning of line 28, change "(4)(a)" to "(3)(a)"

AMENDMENT NO. 27

On page 5, line 9, change "city councils" to "boards of aldermen" and change "Newelton" to "Newellton,"

AMENDMENT NO. 28

On page 6, line 9, change "commission" to "advisory board"

AMENDMENT NO. 29

On page 6, line 11, after "input" insert a comma ","

AMENDMENT NO. 30

On page 6, at the beginning of line 12, change "commission" to "Board of Regents"

AMENDMENT NO. 31

On page 6, line 12, after "assisting the" and before "in reaching" change "commission" to "board"

AMENDMENT NO. 32

On page 6, line 16, after "studies" insert a comma ","

AMENDMENT NO. 33

On page 6, line 17, after "subject to" delete "open meetings law." and insert "the laws relative to open meetings of public bodies, R.S. 42:4.1 et seq."

AMENDMENT NO. 34

On page 6, at the beginning of line 18, change "(5)" to "(4)"

AMENDMENT NO. 35

On page 6, line 18, change "Northeast Delta Learning Center Commission" to "Board of Regents"

AMENDMENT NO. 36

On page 6, line 19, delete "as approved by the Board of Regents"

AMENDMENT NO. 37

On page 6, below line 21, add the following:

"Section 2. Section 7(A) and (B)(1) of Act No. 1225 of the 2003 Regular Session of the Legislature are hereby amended and reenacted to read as follows:

Section 7.(A) Notwithstanding the provisions of Section 2 of this Act, for as long as the state is obligated for debt service on the Swanson Correctional Center for Youth-Madison Parish Unit (SCCY-MPU) facility at Tallulah, Louisiana, the state shall provide alternative uses for the facility as a correctional facility or as a learning center.

(B) The executive budget submitted annually by the governor shall provide that savings attributed to the reduction of services and employees otherwise needed at SCCY-MPU but for the transitioning of adjudicated juveniles pursuant to the provisions of Section 2 of this Act, shall be used as follows:

(1)(a) To increase the availability of alternative programs for adjudicated juveniles being served in the parishes of East Carroll, West Carroll, Madison, Richland, and Tensas and for a community-based system of care for adjudicated juveniles residing in those parishes, through the funding of contract services programs in the amount of forty percent of the savings, not to exceed three million dollars, in order to offset the loss of services and jobs which would have otherwise been required to provide juvenile services at SCCY-MPU; or

(b) A portion of such savings may be used for a learning center.

* * *

Section 3. The Board of Regents shall not implement the provisions of this Act until the legislature appropriates funding sufficient to fully fund implementation this Act.

Section 4. The provisions of this Act shall not become effective until the state assumes full ownership and possession of the real property and all the improvements thereon located on the property formerly known as Swanson Correctional Center for Youth-Madison Parish Unit (SCCY-MPU) facility at Tallulah, Louisiana."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 785 by Senator Jones

AMENDMENT NO. 1

In House Committee Amendment No. 7 proposed by the House Committee on Appropriations, on line 23, after "the" and before "."" change "comma" to "period"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Reengrossed Senate Bill No. 785 By Senator Jones

AMENDMENT NO. 1

In Amendment No. 37 proposed by the House Committee on Appropriation, and adopted by the House on June 14, 2004, on page 4, after line 37, insert the following:

"Section 5. Notwithstanding any provision of this Act or any other law to the contrary, state funds shall not be used for the construction, renovation, operation, or maintenance of any public high school to be located at the Northeast Louisiana Delta Learning Center."

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Bajoie	Gautreaux, B	Michot
Barham	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Irons	Schedler
Cheek	Jackson	Smith
Cravins	Jones	Theunissen
Duplessis	Kostelka	Ullo
Dupre	Lentini	
Total—35		

NAYS

Boasso	Hainkel
Dardenne	Hollis
Total—4	

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 815—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 36:259(II) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3651 through 3663, relative to the certification of employee assistance professionals; to provide for definitions; to create the Board of Certified Employee Assistance Professionals; to provide for authority of the board; to provide for professional certification requirements; to provide for operation of the board; to provide for procedures for disciplinary action; to provide for confidentiality of records; to provide for protection for the practice of other professions; to provide for prohibited acts and penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 815 by Senator Schedler

AMENDMENT NO. 1

On page 1, lines 3 and 16, after "through" change "3663," to "3664,"

AMENDMENT NO. 2

On page 2, line 3, after "through" change "3663," to "3664,"

AMENDMENT NO. 3

On page 15, between lines 26 and 27, insert the following:

"§3664. Statutory construction

Nothing in this Chapter shall be construed to require any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, health maintenance organization subscriber agreement, health and accident insurance policy, or any other insurance contract of this type, including a group insurance plan and a self-insurance plan that provides medical and surgical benefits, to provide coverage of any services rendered by a certified employee assistance professional."

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen

Duplessis
Total—39

Jones

Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 859—
BY SENATOR ROMERO

AN ACT

To enact R.S. 27:403, relative to the Louisiana Gaming Control Law; to provide with respect to the status of licenses issued in good faith reliance on a survey which was wrong; and to provide for related matters.

On motion of Senator Romero, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 875 (Substitute for Senate Bill No. 336 by Senator McPherson)—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 17: 403(C), R.S. 36:258(E)(1), and R.S. 46:2503(A) and to enact Chapter 50-A of Title 37 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3386 through 3390.6, and to repeal R.S. 36:259(E)(19), R.S. 46:2503(E), and Chapter 50 of Title 37 of Louisiana Revised Statutes of 1950, comprised of R.S. 37:3371 through 3384, relative to addictive disorder professionals; to provide for definitions; to provide for categories of addictive disorder professionals; to provide for powers and duties of the Department of Health and Hospitals, office for addictive disorders; to provide for licensure, certification, and registration of addictive disorder counselors and professionals; to authorize the department to impose application fees; to provide with respect to penalties; to establish the Addictive Disorders Professionals Licensing and Certification Fund in the state treasury; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

Delete House Floor Amendments Nos. 1 through 48 proposed by Representative Broome and adopted by the House of Representatives on June 10, 2004.

AMENDMENT NO. 2

On page 13, at the end of line 3, after "counselor" insert ", or in the absence of a licensed, certified, or registered, addiction counselor, under the direction of a qualified mental health professional"

AMENDMENT NO. 3

On page 31, line 21, delete "However,"

AMENDMENT NO. 4

On page 31, delete lines 22 through 24 in their entirety

AMENDMENT NO. 5

On page 33, line 19, after "either" insert "one or both"

AMENDMENT NO. 6

On page 34, between lines 1 and 2 insert:

"H. The regulatory authority granted herein to the department shall be transferred to a board on July 1, 2007. The department shall take all necessary steps to accomplish this transfer."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 26, following "50-A of" and before "the Louisiana" insert "Title 37 of"

AMENDMENT NO. 2

On page 22, line 27, change "preventionist" to "preventionists"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

On page 7, delete lines 16 through 20 in their entirety

AMENDMENT NO. 2

On page 7, line 21, change "(d)" to "(c)"

AMENDMENT NO. 3

On page 9, delete lines 22 through 26 in their entirety

AMENDMENT NO. 4

On page 9, line 27, change "(d)" to "(c)"

AMENDMENT NO. 5

On page 9, line 29, change "(e)" to "(d)"

AMENDMENT NO. 6

On page 11, delete lines 27 through 29 in their entirety

AMENDMENT NO. 7

On page 12, delete lines 1 and 2 in their entirety

AMENDMENT NO. 8

On page 12, line 3, change "(d)" to "(c)"

AMENDMENT NO. 9

On page 12, line 5, change "(e)" to "(d)"

AMENDMENT NO. 10

On page 14, delete lines 1 through 4 in their entirety

AMENDMENT NO. 11

On page 14, line 5, change "(6)" to "(5)"

AMENDMENT NO. 12

On page 14, line 7, change "(7)" to "(6)"

AMENDMENT NO. 13

On page 14, line 9, change "(8)" to "(7)"

AMENDMENT NO. 14

On page 15, delete lines 12 through 15 in their entirety

AMENDMENT NO. 15

On page 15, line 16, change "(6)" to "(5)"

AMENDMENT NO. 16

On page 15, line 18, change "(7)" to "(6)"

AMENDMENT NO. 17

On page 15, delete lines 20 through 25 in their entirety

AMENDMENT NO. 18

On page 17, delete lines 10 through 13 in their entirety

AMENDMENT NO. 19

On page 17, line 14, change "(d)" to "(c)"

AMENDMENT NO. 20

On page 19, delete lines 20 through 23 in their entirety

AMENDMENT NO. 21

On page 19, line 24, change "(d)" to "(c)"

AMENDMENT NO. 22

On page 21, delete lines 21 through 25 in their entirety

AMENDMENT NO. 23

On page 21, line 26, change "(d)" to "(c)"

AMENDMENT NO. 24

On page 22, delete line 10 and insert "this Chapter."

AMENDMENT NO. 25

On page 22, delete lines 11 and 12 in their entirety

AMENDMENT NO. 26

On page 24, delete line 2 and insert "Chapter."

AMENDMENT NO. 27

On page 24, delete lines 3 and 4 in their entirety

AMENDMENT NO. 28

On page 25, delete lines 12 through 15 in their entirety

AMENDMENT NO. 29

On page 25, line 16, change "(6)" to "(5)"

AMENDMENT NO. 30

On page 25, line 18, change "(7)" to "(6)"

AMENDMENT NO. 31

On page 25, line 20, change "(8)" to "(7)"

AMENDMENT NO. 32

On page 25, delete line 23 and insert " this Chapter."

AMENDMENT NO. 33

On page 25, delete lines 24 and 25 in their entirety

AMENDMENT NO. 34

On page 26, delete lines 7 through 10 in their entirety

AMENDMENT NO. 35

On page 26, delete lines 24 through 27 in their entirety

AMENDMENT NO. 36

On page 26, line 28, change "E." to "D."

AMENDMENT NO. 37

On page 27, line 1, change "F." to "E."

AMENDMENT NO. 38

On page 27, line 6, change "G." to "F."

AMENDMENT NO. 39

On page 27, line 13, change "H." to "G."

AMENDMENT NO. 40

On page 27, line 17, change "I." to "H."

AMENDMENT NO. 41

On page 28, delete lines 2 through 5 in their entirety

AMENDMENT NO. 42

On page 28, line 6, change "E." to "D."

AMENDMENT NO. 43

On page 29, delete line 29 in its entirety

AMENDMENT NO. 44

On page 30, delete line 1 in its entirety

AMENDMENT NO. 45

On page 31, line 28, after "rule" and before "promulgated" delete "or fee"

AMENDMENT NO. 46

On page 35, delete line 28 and insert "credential or status authorized by this Chapter,"

AMENDMENT NO. 47

On page 35, delete line 29 in its entirety

AMENDMENT NO. 48

On page 36, at the beginning of line 1, delete "violation"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

On page 6, line 28, after "age" insert "from the date the application is received"

AMENDMENT NO. 2

On page 7, line 3, after "years" insert "from the date the application is received"

AMENDMENT NO. 3

On page 8, line 14, change "must" to "shall"

AMENDMENT NO. 4

On page 9, line 5, after "age" insert "from the date the application is received"

AMENDMENT NO. 5

On page 9, line 9, after "years" insert "from the date the application is received"

AMENDMENT NO. 6

On page 9, line 12, change "must" to "shall"

AMENDMENT NO. 7

On page 10, line 22, change "must" to "shall"

AMENDMENT NO. 8

On page 11, line 10, after "age" insert "from the date the application is received"

AMENDMENT NO. 9

On page 11, line 14, after "years" insert "from the date the application is received"

AMENDMENT NO. 10

On page 11, line 17, change "must" to "shall"

AMENDMENT NO. 11

On page 13, line 20, after "age" insert "from the date the application is received"

AMENDMENT NO. 12

On page 13, line 24, after "years" insert "from the date the application is received"

AMENDMENT NO. 13

On page 13, line 27, change "must" to "shall"

AMENDMENT NO. 14

On page 14, line 16, change "must" to "shall"

AMENDMENT NO. 15

On page 15, line 1, after "age" insert "from the date the application is received"

Page 24 SENATE

June 20, 2004

49th DAY'S PROCEEDINGS

AMENDMENT NO. 16

On page 15, line 5, after "months" insert "from the date the application is received"

AMENDMENT NO. 17

On page 15, line 10, change "must" to "shall"

AMENDMENT NO. 18

On page 15, line 26, change "supervision" to "supervisor"

AMENDMENT NO. 19

On page 16, line 8, change "will" to "shall"

AMENDMENT NO. 20

On page 16, line 12, change "must" to "shall"

AMENDMENT NO. 21

On page 16, line 15, change "must" to "shall"

AMENDMENT NO. 22

On page 17, line 3, change "must" to "shall"

AMENDMENT NO. 23

On page 17, line 21, after "counselor-in-training" change "and" to "or"

AMENDMENT NO. 24

On page 17, line 24, after "counselor-in-training" change "and" to "or"

AMENDMENT NO. 25

On page 17, line 28, after "counselor-in-training" change "and" to "or"

AMENDMENT NO. 26

On page 17, line 29, after "certified" and before "gambling" insert "compulsive"

AMENDMENT NO. 27

On page 18, line 7, change "will" to "shall"

AMENDMENT NO. 28

On page 18, line 10, change "must" to "shall"

AMENDMENT NO. 29

On page 18, line 13, change "must" to "shall"

AMENDMENT NO. 30

On page 18, line 17, change "must" to "shall"

AMENDMENT NO. 31

On page 18, line 23, after "certified" and before "gambling" insert "compulsive"

AMENDMENT NO. 32

On page 19, line 10, change "must" to "shall"

AMENDMENT NO. 33

On page 19, line 13, change "must" to "shall"

AMENDMENT NO. 34

On page 20, at the beginning of the line 1, before "gambling" insert "compulsive"

AMENDMENT NO. 35

On page 21, line 5, after "age" insert "from the date the application is received"

AMENDMENT NO. 36

On page 21, line 9, after "years" insert "from the date the application is received"

AMENDMENT NO. 37

On page 21, line 12, change "must" to "shall"

AMENDMENT NO. 38

On page 23, line 10, after "age" insert "from the date the application is received"

AMENDMENT NO. 39

On page 23, line 14, after "years" insert "from the date the application is received"

AMENDMENT NO. 40

On page 23, line 17, change "must" to "shall"

AMENDMENT NO. 41

On page 25, line 2, after "age" insert "from the date the application is received"

AMENDMENT NO. 42

On page 25, line 6, after "years" insert "from the date the application is received"

AMENDMENT NO. 43

On page 25, line 9, change "must" to "shall"

AMENDMENT NO. 44

On page 25, line 28, change "must" to "shall"

AMENDMENT NO. 45

On page 26, line 2, change "must" to "shall"

AMENDMENT NO. 46

On page 26, line 16, change "must" to "shall"

AMENDMENT NO. 47

On page 26, line 28, after "renew" and before "shall" insert "his status"

AMENDMENT NO. 48

On page 27, delete lines 17 through 19 in their entirety

AMENDMENT NO. 49

On page 27, line 24, change "must" to "shall"

AMENDMENT NO. 50

On page 27, line 26, change "must" to "shall"

AMENDMENT NO. 51

On page 28, line 7, after "counselor" and before "renewal" insert "certification"

AMENDMENT NO. 52

On page 31, line 1, after "may" delete ", but need not,"

AMENDMENT NO. 53

On page 31, line 15, after "may" delete ", but need not,"

AMENDMENT NO. 54

On page 33, line 11, change "The" to "All"

AMENDMENT NO. 55

On page 38, line 18, change "must" to "shall"

AMENDMENT NO. 56

On page 38, line 20, change "must" to "shall"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walker to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

On page 10, line 26, after "functions." insert "The scope of practice shall in no way be construed to include services designed to address work organization productivity issues and employee client problems affecting job performance and the ability to perform on the job."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broome to Reengrossed Senate Bill No. 875 by Senator McPherson

AMENDMENT NO. 1

Delete Amendment No. 1 proposed by the House Health and Welfare Committee on June 15, 2004 and adopted by the House of Representatives on June 16, 2004.

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 876 (Substitute for Senate Bill No. 857 by Senator Ullo)—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 40:1662.3(6), (7), (12), (14), (15), (17), (24), (26), (27), and (28), 1662.4(A)(3) and (4), (B), the introductory paragraph of (C), (C)(1), (3), (4), (6), and (7), 1662.6(A)(3), (B)(6)(a) and (b) and (9), (C)(5) and (6)(a) and (b), and (9), 1662.7(A), (B), (C), the introductory paragraph of (D), (D)(2), (E), and (F), 1662.8(A), the introductory paragraph of (B), (B)(2)(g) and (h), (3)(a) and (b), and (4), 1662.9(A)(3), (5) and (11), (C), (D)(1) and (3), and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.14(A)(2), the introductory paragraph of (3), (3)(b), and (5), (C)(2), (3), (5), and (6), and 1662.15(B)(2), and to enact R.S. 40:1662.3(29), 1662.6(B)(6)(d), 1662.8(B)(2)(i), (j) and (k), 1662.9(A)(12), (13) and (14), 1662.14(C)(7), and 1662.16(D), relative to public health and safety; to provide for alarm industry and locksmith licensing standards; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 876 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 9, after "(C)(2), (3)," delete "(5)," and after "1662.15(B)(2)," insert "and R.S. 15:587(A)(1)(a)"

AMENDMENT NO. 2

On page 1, line 12, after "standards;" insert "to authorize access by the state fire marshal to information from the Louisiana Bureau of Criminal Identification and Information in certain instances;"

AMENDMENT NO. 3

On page 2, line 3, after "(C)(2), (3)," delete "(5),"

AMENDMENT NO. 4

On page 4, line 8, after "(c)" change "Closed circuit television alarm system contracting" to """Closed circuit television alarm system contracting"""

AMENDMENT NO. 5

On page 7, line 9, after "in the business of" insert "re-coding new locks on the retail premises only or"

AMENDMENT NO. 6

On page 11, line 11, after "Subparagraph" delete "(a)" and insert in lieu thereof "(b)"

AMENDMENT NO. 7

On page 18, delete lines 14 through 17 in their entirety

AMENDMENT NO. 8

On page 19, between lines 13 and 14, insert the following:

"Section 2. R.S. 15:587(A)(1)(a) is hereby amended and reenacted to read as follows:

§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information

A.(1)(a) The bureau shall make available upon request, or at such other times as the deputy secretary shall designate, to any eligible criminal justice agency and the Department of Health and Hospitals, the State Fire Marshal when reviewing applications for licensure, the Department of Social Services, the Department of Insurance, the Louisiana State Racing Commission, the Senate and Governmental Affairs Committee, the secretary of the Department of Labor or his designee, the Board of River Port Pilot Commissioners, the Office of Financial Institutions in the office of the governor, the municipal or parish department or personnel responsible for reviewing applications for alcoholic beverage outlet permits and the legislative auditor any information contained in the criminal history record and identification files of the bureau. The Department of Social Services may provide information secured pursuant to this Subsection to all federal and state agencies providing child support enforcement services.

* * *

AMENDMENT NO. 9

On page 19, line 14, change "Section 2." to "Section 3."

Senator Ullo moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 879 (Substitute for Senate Bill 867 by Senator Irons)—

BY SENATOR JONES

AN ACT

To enact R.S. 17:427.4, relative to public schools and school children; to benefit schools and children by encouraging the availability of qualified teachers; to provide for a program designed to provide incentives for qualified teachers to locate and work in disadvantaged areas; to authorize the development and establishment of a teachers' homebuyer program for certain certified teachers; to establish an advisory panel to develop such program; to provide for program approval; to authorize the state treasurer to administer the program; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 879 by Senator Jones

AMENDMENT NO. 1

On page 1, line 14, after "disadvantaged and" and before "geographical" change "under-served" to "underserved"

AMENDMENT NO. 2

On page 2, line 6, after "eligibility for" and before "program" change "this" to "the"

AMENDMENT NO. 3

On page 2, line 14, after "necessary" and before "the implementation" change "to" to "for"

AMENDMENT NO. 4

On page 2, at the beginning of line 17, change "authorized pursuant to" to "established in"

Senator Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith

Cravins
Dardenne
Duplessis
Total—38

Irons
Jackson
Jones

Theunissen
Ullo

NAYS

Kostelka
Total—1

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

RELATIVE TO CONSIDERATION AFTER 82ND CALENDAR DAY

June 10, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House, by a record vote of two-thirds of its elected members, has concurred in a motion to consider House Bill No. 1413 on third reading and final passage after the 82nd calendar day.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1413—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 16:51(A)(1), (2), (4), (7), (16), (17), (19), (22), (23), (24), (26), (32), (36), and (41), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Amedee
Bajoie
Barham
Boasso
Boissiere
Cain
Chaisson
Cheek
Cravins
Dardenne
Duplessis
Total—39

Dupre
Ellington
Fields
Fontenot
Gautreaux, B
Gautreaux, N
Hainkel
Heitmeier
Holden
Hollis
Irons
Jackson
Jones

Kostelka
Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Nevers
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Message from the House

RELATIVE TO CONSIDERATION AFTER 82ND CALENDAR DAY

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House, by a record vote of two-thirds of its elected members, has concurred in a motion to consider House Bill No. 960 on third reading and final passage after the 82nd calendar day.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator McPherson asked that House Bill No. 960 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 960—

BY REPRESENTATIVE FARRAR
AN ACT

To enact R.S. 33:2740.25(D), relative to Rapides Parish and the cities of Alexandria and Pineville; to authorize the governing authorities of Rapides Parish and the cities of Alexandria and Pineville to levy a sales tax on cigarette papers; to provide for the dedication of the proceeds of the tax; and to provide for related matters.

Floor Amendments Sent Up

Senator B. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators B. Gautreaux, N. Gautreaux, Mount, Theunissen, and Ullo to Engrossed House Bill No. 960 by Representative Farrar

AMENDMENT NO. 1

On page 1, line 2 after “relative to” insert “Acadia Parish, Assumption Parish, Calcasieu Parish, Cameron Parish, Jefferson Parish, Jefferson Davis, Lafayette Parish, Lafourche Parish, St. Landry Parish, St. Mary Parish, Terrebonne Parish, Vermilion Parish and”

AMENDMENT NO. 2

On page 1, line 14, after “governing” change “authority” to “authorities” and after “of” insert “Acadia Parish, Assumption Parish, Calcasieu Parish, Cameron Parish, Jefferson Parish, Jefferson Davis, Lafayette Parish, Lafourche Parish, St. Landry Parish, St. Mary Parish, Terrebonne Parish, Vermilion Parish and”

On motion of Senator B. Gautreaux, the amendments were adopted.

The bill was read by title. Senator McPherson moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone

Amedee	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—38		

NAYS

Total—0

ABSENT

Kostelka
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Regular Order of the Day Resumed

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE BOWLER

A CONCURRENT RESOLUTION

To urge and request the division of administration to study the feasibility of implementing a statewide electronic payment system.

Reported favorably by the Committee on Finance.

The resolution was read by title. Senator Lentini moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Lentini
Amedee	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Dardenne	Irons	Theunissen

Duplessis Jackson Ullo
Total—36

NAYS

Total—0

ABSENT

Cravins Kostelka Schedler
Total—3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Concurrent Resolutions To Be Adopted, Subject to Call

The following House Concurrent Resolutions to be adopted, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator Chaisson asked that House Concurrent Resolution No. 295 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 295—

BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, public safety services, to enforce all provisions of R.S. 14:102.19 (the crime of hog and canine fighting as enacted in Act 111 of the 2004 Regular Session) and to also investigate whether illegal gambling is taking place at hog dog rodeo events and to urge and request that the attorney general, pursuant to the powers and duties conferred in the constitution of this state, in the interest of the state, ensure that the provisions of Act 111 are enforced and that violators are prosecuted.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Bajoie	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Hainkel	Romero
Chaisson	Holden	Smith
Cheek	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Total—32		

NAYS

Total—0

ABSENT

Boasso	Hollis	Schedler
Cravins	Kostelka	
Heitmeier	McPherson	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Called from the Calendar

Senator Chaisson asked that House Concurrent Resolution No. 301 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 301—

BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to enforce the provisions of the state Sanitary Code relative to the protection of the public's health and the inspection of premises used to hold animals and fowls in an effort to assist in the enforcement of R.S. 14:102.19 (the crime of hog and canine fighting) as enacted by Act 111 of the 2004 Regular Session of the Legislature.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Duplessis	Jones
Bajoie	Dupre	Michot
Boissiere	Fields	Mount
Chaisson	Holden	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Theunissen
Total—18		

NAYS

Adley	Ellington	Kostelka
Amedee	Fontenot	Malone
Barham	Gautreaux, N	Marionneaux
Boasso	Hainkel	Nevers
Cain	Heitmeier	Smith
Dardenne	Hollis	Ullo
Total—18		

ABSENT

Gautreaux, B	Lentini	McPherson
Total—3		

The Chair declared the Senate had refused to concur in the House Concurrent Resolution.

Rules Suspended

Senator Holden asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 169—

BY SENATOR HOLDEN

A RESOLUTION

To express condolences of the Louisiana Senate on the death of Gilbert Spland, Sr.

On motion of Senator Holden, the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 165—

BY SENATORS BOISSIERE, IRONS, DUPLESSIS AND BOASSO AND REPRESENTATIVES MARCHAND AND ODINET

A CONCURRENT RESOLUTION

To urge and request the Norfolk Southern Railroad to work in cooperation with the Regional Transit Authority to allow the proposed Desire Streetcar to cross the Norfolk Southern Railroad tracks at the intersection of St. Claude Avenue at Press Street in New Orleans.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 93—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To the Senate Committee on Judiciary A and the House Committee on Judiciary to meet and to function as a joint committee to study all aspects of increasing the number of judges of the First Circuit Court of Appeal, supreme court districts, and associate justices.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To require the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System to comply with the state of Louisiana policies, procedures and regulations governing travel, contracts and procurement.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 132—

BY SENATOR CHAISSON

A CONCURRENT RESOLUTION

To direct the governor of the state of Louisiana, the president of the Senate, and the speaker of the House of Representatives to, individually or jointly, take appropriate action to prohibit smoking throughout the state capitol thereby creating and declaring the capitol a "smoke-free" environment.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR DUPLESSIS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to authorize state and national banks to participate in lotteries and related activities for charitable purposes.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 144—

BY SENATOR BOASSO

A CONCURRENT RESOLUTION

To authorize and request the Senate Committee on Insurance and House Committee on Insurance to establish a joint committee to conduct a comprehensive study of local government insurance and risk management programs with a review of statutory authority.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request that the Senate and House labor and industrial relations committees to meet and function as a joint committee to study the effects of an inadequately trained and motivated tourism and hospitality workforce on the future financial viability and competitiveness of the tourism industry on the New Orleans Metropolitan Area and throughout the state.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 135—

BY SENATOR MICHOT

A CONCURRENT RESOLUTION

To continue the special committee created by Senate Concurrent Resolution No. 21 of the 2003 Regular Session to study and develop recommendations for standards and records management technologies for clerks of court's offices and to provide relative to the committee membership.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 141—
BY SENATOR SMITH AND REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To urge and request the president of the Louisiana Community and Technical College System to allocate \$350,000 from Carl D. Perkins Vocational Education funds to the Louisiana Agriculture Education Office for the continued funding of administrative support of the state's Agricultural Education Program.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 151—
BY SENATOR BAJOE
A CONCURRENT RESOLUTION

To establish a group to study and make recommendations regarding assisted living communities in Louisiana to ensure that sound public policy, regulations, and laws are based upon best practices.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 124—
BY SENATOR DUPLESSIS
A CONCURRENT RESOLUTION

To establish the Louisiana Prosper Commission to conduct a comprehensive study of the public bid law, the procurement code, bid preferences and reciprocal preferences, and services contracts.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATOR BOASSO
A CONCURRENT RESOLUTION

To create the Joint Legislative Commission on Saltwater Fisheries and the Ad Hoc Saltwater Fisheries Advisory Board to study and make recommendations to the legislature on a revision of the state's saltwater fisheries laws and regulations as they pertain to commercial and recreational fishing.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 139—
BY SENATOR JACKSON
A CONCURRENT RESOLUTION

To direct the Joint Legislative Committee on the Budget to create a task force to study the practices and standards followed by departments and agencies of the executive branch of state government, with respect to contracting with nonprofit organizations, in order to better assist such organizations in developing consistent professional standards of excellence applicable to such contracts.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 145—
BY SENATOR HOLDEN
A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to study the disparity in wages between direct service healthcare workers and the compensation of comparable healthcare workers.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 156—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To establish a special panel to study and develop a plan for a homebuyers program to provide low-interest home loans to certified teachers who agree to teach in low-performing schools in disadvantaged areas and to provide for submission of such plan to the governor and the legislature no later than March 1, 2005.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Insurance and the House Committee on Insurance to meet and function as a joint committee to study the difficulty in obtaining professional liability coverage for certain healthcare providers.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATOR FIELDS
A CONCURRENT RESOLUTION

To urge and request the East Baton Rouge Parish School Board to direct all school system employees to follow all state laws and rules and school board policies governing assignment of bus routes and requirements for in-service training of school bus operators.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATORS DARDENNE AND SMITH
A CONCURRENT RESOLUTION

To direct the legislative auditor to compile a report on the cost of operating the district court system in Louisiana for presentation to the legislature prior to the 2005 Regular Session; to request assistance of various state and local governmental entities which perform various district court functions or provide financial support of the court system; and to report to the legislature any limitations imposed on the compilation of timely, relevant, and accurate information on the operations of the district court system.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 149—
BY SENATOR LENTINI
A CONCURRENT RESOLUTION

To create the Louisiana Commission on Decision-Making of Persons with Cognitive Disabilities to study resources currently in place to assist such persons with decision-making and to determine the feasibility of implementing a surrogate decision-making program in Louisiana in order to ensure that people with cognitive disabilities have access to impartial assistance with decision-making.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR DARDENNE**

A CONCURRENT RESOLUTION

To provide for a study of the benefits, risks and issues involved in, and the feasibility of establishing a defined contribution plan in the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1309 by Representative Shepherd, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1309 by Representative Shepherd:

Representatives Shepherd, Hammett and Daniel.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 10, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1704 by Representative Townsend:

Representatives Townsend, Toomy and DeWitt.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1618 by Representative Fauchaux:

Representatives Fauchaux, K. Carter and Richmond.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1126 by Representative Murray:

Representatives Murray, Lancaster and Bruneau.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1030 by Representative Pinac:

Representatives Pinac, Ritchie and Flavin.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 846 by Representative Morrish:

Representatives Morrish, Damico and Salter.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 635 by Representative Quezaire:

Representatives Quezaire, Hammett and Daniel.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 507 by Representative Marchand:

Representatives Marchand, Baylor and Murray.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1551 by Representative Heaton:

Representatives Heaton, Richmond and Martiny.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1215 by Representative LaFleur:

Representatives LaFleur, Lancaster and Crane.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1628 by Representative Alario:

Representatives Alario, Salter and Murray.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1485 by Representative Alario:

Representatives Alario, DeWitt and McDonald.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1327 by Representative Lancaster:

Representatives Lancaster, Durand and Dorsey.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 570 by Senator Chaisson:

Representatives Cazayoux, Martiny and Faucheux.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 560 by Senator Fontenot:

Representatives Walsworth, Alario and Damico.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 23 by Senator Mount:

Representatives Pinac, Johns and M. Powell.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 261 by Senator Hines:

Representatives Gallot, Lancaster and Montgomery.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 20, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 561 by Senator Fontenot:

Representatives Erdey, Lancaster and Alario.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Appointment of Conference Committee on House Bill No. 619

The President of the Senate appointed on the Conference Committee on House Bill No. 619 the following members of the Senate: Senators Heitmeier, Dardenne and McPherson.

Appointment of Conference Committee on House Bill No. 702

The President of the Senate appointed on the Conference Committee on House Bill No. 702 the following members of the Senate: Senators McPherson, Michot and B. Gautreaux.

Appointment of Conference Committee on Senate Bill No. 561

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 561: Senators Fontenot, Heitmeier and Hines.

Appointment of Conference Committee on House Bill No. 1704

The President of the Senate appointed on the Conference Committee on House Bill No. 1704 the following members of the Senate: Senators Marionneaux, Irons and Chaisson.

Appointment of Conference Committee on House Bill No. 1551

The President of the Senate appointed on the Conference Committee on House Bill No. 1551 the following members of the Senate: Senators Dupre, Chaisson and Holden.

Appointment of Conference Committee on House Bill No. 1215

The President of the Senate appointed on the Conference Committee on House Bill No. 1215 the following members of the Senate: Senators Dardenne, Jones and Ellington.

Appointment of Conference Committee on House Bill No. 1485

The President of the Senate appointed on the Conference Committee on House Bill No. 1485 the following members of the Senate: Senators Heitmeier, McPherson and Jackson.

Appointment of Conference Committee on House Bill No. 37

The President of the Senate appointed on the Conference Committee on House Bill No. 37 the following members of the Senate: Senators Dupre, Chaisson and Jackson.

Appointment of Conference Committee on House Bill No. 1327

The President of the Senate appointed on the Conference Committee on House Bill No. 1327 the following members of the Senate: Senators McPherson, Jackson and Cheek.

Appointment of Conference Committee on Senate Bill No. 560

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 560: Senators Fontenot, Heitmeier and Amedee.

Appointment of Conference Committee on House Bill No. 1628

The President of the Senate appointed on the Conference Committee on House Bill No. 1628 the following members of the Senate: Senators Heitmeier, Hines and Fields.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of hearing House Concurrent Resolution No. 300 in the Committee on Health and Welfare without the required 24 hour notice.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 20, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 122—

BY SENATOR ULLO AND REPRESENTATIVES CRANE AND HONEY

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to each parish, city and other local school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2004, and as subsequently revised pursuant to board action on April 15, 2004.

SENATE CONCURRENT RESOLUTION NO. 164—

BY SENATORS THEUNISSEN, CAIN AND MOUNT AND REPRESENTATIVES FLAVIN, FRITH, GEYMAN, E. GUILLORY, JOHNS AND MORRISH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Algie Breaux, former Calcasieu Parish police juror and dedicated public servant.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 20, 2004

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 12—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 48:1002(A), relative to ferries; to provide for the period of appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; and to provide for related matters.

SENATE BILL NO. 30—

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND RICHMOND

AN ACT

To amend and reenact R.S. 32:407(A)(2) and (3), relative to driver's licenses; to increase the time required for possession of a learner's permit prior to obtaining an intermediate license in certain circumstances; to provide for exceptions; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 90—

BY SENATOR BOISSIERE AND REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To enact R.S. 11:3363(G), relative to local retirement; to provide with respect to the Firefighters' Pension and Relief Fund for the city of New Orleans; to authorize the New Orleans Firefighters Association, Local 632 and the Firefighters' Pension and Relief Fund for the city of New Orleans to negotiate a cooperative endeavor agreement with the city of New Orleans pursuant to the Supreme Court of Louisiana decision in "NEW ORLEANS FIREFIGHTERS LOCAL 632 ET AL. versus THE CITY OF NEW ORLEANS ET AL.," bearing number 00-C-1921 c/w number 00-C-2041; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 102 (Duplicate of House Bill No. 156)—

BY SENATOR CHAISSON AND REPRESENTATIVE TOOMY AND COAUTHORED BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 13:124, relative to the Supreme Court of Louisiana; to provide for the expenditure of the balance of fees collected by the clerk; to provide that fund balances may be used to defray the expense of employment benefits, including dental insurance; and to provide for related matters.

SENATE BILL NO. 366—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1484.4(C)(4)(c) and (e), relative to air-supported structures; to increase and to impose new fines for violations; and to provide for related matters.

SENATE BILL NO. 415—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 33:2493(C)(1), and to repeal R.S. 33:2493(C)(2) and (3), relative to civil service; to provide with respect to fire and police civil service for municipalities between 13,000 and 250,000; to remove the requirement that any applicant admitted to a civil service test for a position above entry level be a qualified elector of the state of Louisiana; and to provide for related matters.

SENATE BILL NO. 586—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f)(i), (iii), and (v) and to enact R.S. 32:1254.2, relative to motor vehicles; to authorize the Motor Vehicle Commission to render advisory opinions relative to the distribution and sale of motor vehicles; to provide a procedure for applying to the commission for an advisory opinion and for declaratory orders; to provide relative to sales conditioned on financing; to provide certain requirements for suppliers of mechanical repairs and services for motor vehicles; to provide for recovery of vehicle in certain instances; and to provide for related matters.

SENATE BILL NO. 680—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:5102(B), relative to suits against the state; to provide for definitions; to limit liability for entities which manage certain public transit authorities; to provide relative to the employees of such entities; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 774—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 34:29(A)(introductory paragraph), (1), (D), and (E), to enact R.S. 34:29(J), and to repeal R.S. 34:29(B), relative to the Port of New Orleans; to provide relative to the port's borrowing power and debt limitation; to remove certain limitations; to provide for the port's authority to continue the issuance of bonds and other obligations; and to provide for related matters.

SENATE BILL NO. 877 (Substitute for Senate Bill No. 511 by Senator Ellington)—

BY SENATORS ELLINGTON AND MICHOT AND REPRESENTATIVES PINAC AND WALSWORTH

AN ACT

To enact Chapter 8-K of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.40 through 844.54, relative to telecommunications; to create the "Local Government Fair Competition Act"; to provide for legislative findings; to provide for definitions; to provide limitations for providing certain cable television, telecommunications, and advanced services; to establish procedures for offering certain cable television, telecommunications, and advanced services; to provide for public hearings; to provide certain quality of service standards; to provide for enforcement and appeal; and to provide for related matters.

SENATE BILL NO. 15—

BY SENATORS DUPRE, B. GAUTREAUX, N. GAUTREAUX, MCPHERSON AND ROMERO AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:326(F)(1), relative to size and possession limits of commercial fish; to provide for an affirmative defense for undersized crab violations; and to provide for related matters.

SENATE BILL NO. 27—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K) and Part VIII-B of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:310, relative to legislative review; to require private entities to provide to the legislature information relative to the expenditure of revenue generated from the operation, management, or control of public lands or facilities; to require the division of administration to develop a reporting form; and to provide for related matters.

SENATE BILL NO. 37—

BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 23:633, relative to employment; to provide with respect to payment of wages; to provide for criminal penalties; and to provide for related matters.

SENATE BILL NO. 39—

BY SENATOR MCPHERSON

AN ACT

To enact R.S. 24:653(K), and to enact Subpart E of Part I of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:17.1, relative to cooperative endeavor agreements; to require the commissioner of administration to provide a system of tracking certain cooperative endeavor agreements; to provide definitions; to provide for notification to the Joint Legislative Committee on the Budget regarding certain cooperative endeavor agreements; and to provide for related matters.

SENATE BILL NO. 82—

BY SENATOR BOISSIERE AND REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To amend and reenact R.S. 11:3385.1(G), relative to the New Orleans Firefighters' Pension and Relief Fund; to provide for interest paid on Deferred Retirement Option Plan accounts; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 118—

BY SENATORS MCPHERSON AND N. GAUTREAUX AND REPRESENTATIVE FARRAR

AN ACT

To amend and reenact the introductory paragraph of R.S. 36:801 and to enact R.S. 36:610(J) and Subpart I-1 of Part I of Chapter 2 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:799.1 through 799.6, relative to the White Lake Property; to create the White Lake Property Fund in the state treasury as a fund within the Louisiana Wildlife and Fisheries Conservation Fund; to provide for deposits of monies into the fund; to provide for investment and uses of monies in the fund; to create the White Lake Property Advisory Board; to provide for its domicile, membership, and duties; to authorize the board to solicit and accept donations; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 129—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:9055(B), relative to the Cameron Parish Ambulance Service District No. 2; to provide with respect to the board membership; to increase the membership on

the board from five members to six members; to provide for the term of office of the additional board member; and to provide for related matters.

SENATE BILL NO. 157—

BY SENATORS CAIN, IRONS, ADLEY, BAJOEI, MICHOT, SMITH, KOSTELKA, BOISSIERE, DARDENNE AND SCHEDLER AND REPRESENTATIVES BRUNEAU, JACKSON, MARCHAND, MORRELL, MURRAY, QUEZAIRE, RITCHIE, TUCKER AND WALSWORTH

AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to provide for payment of benefits to policy holders; and to provide for related matters.

SENATE BILL NO. 191—

BY SENATORS IRONS AND DUPRE AND REPRESENTATIVE GLOVER

AN ACT

To amend and reenact R.S. 39:1220(A)(2), relative to local agencies; to provide with respect to certain limits on the amount of deposit to a financial institution; and to provide for related matters.

SENATE BILL NO. 212—

BY SENATOR DUPRE AND REPRESENTATIVES BALDONE AND DOVE

AN ACT

To amend and reenact R.S. 33:130.251, 130.252(A), (B), (C), (D) and (E), 130.253(B) and (C), the introductory paragraph of 130.255(A) and (A)(3), (4), (6), and (9), 130.256, 130.257(A), the introductory paragraph of 130.257(B), (B)(1)(c) and (2)(b), 130.258(A) and (B)(1) through (7), and 130.259 through 130.261, relative to the Terrebonne Economic Development District; to change the name of the district; to provide for the membership of the board; to provide additional sources of funding and the method of usage of such funds; and to provide for related matters.

SENATE BILL NO. 288—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:322.37(B)(2) and to enact R.S. 47:322.37(B)(3), relative to the St. Tammany Parish Tourist and Convention Commission; to provide for the distribution of certain funds appropriated to the commission; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 301—

BY SENATOR HOLDEN AND REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 17:24.7, relative to the functions of the state Department of Education; to require the establishment of a pilot program of extended kindergarten; to provide for the eligibility of students to participate; to provide for the nature, duration, evaluation, and continuation of the pilot program; to provide for funding; and to provide for related matters.

SENATE BILL NO. 310—

BY SENATORS DUPRE AND ROMERO AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 49:214.38, and to enact Part II-B of Chapter 2 of Title 49 of the Louisiana Revised Statutes of 1950, consisting of R.S. 49:214.52 through 214.61, inclusive, relative

to coastal wetlands; to provide relative to barrier islands; to provide relative to property in the coastal zone needed for barrier island preservation, restoration, or creation for coastal wetlands purposes; to authorize certain expropriation of property; to authorize and provide certain procedures for expropriation by declaration of taking; to provide relative to authority and procedures by the state Department of Natural Resources; to set forth certain terms, conditions, and procedures for proceedings; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 334 (Duplicate of House Bill No. 308)—

BY SENATOR HAINKEL AND REPRESENTATIVE MORRISH AND COAUTHORED BY SENATOR HOLLIS AND REPRESENTATIVES BOWLER, ERDEY, FAUCHEUX, JACKSON, JOHNS, MCVEA, TUCKER, AND WALSWORTH

AN ACT

To enact R.S. 22:230.6, relative to health insurance; to authorize health insurers and health maintenance organizations to offer flexible health benefits policies, contracts, and agreements without state health insurance mandates or certain other requirements; and to provide for related matters.

SENATE BILL NO. 338—

BY SENATOR ADLEY (By Request)

AN ACT

To enact R.S. 30:2030(D), relative to records in the custody of the Department of Environmental Quality; to provide that certain information may be restricted from distribution or dissemination via the Internet; to provide for penalties for such distribution or dissemination; and to provide for related matters.

SENATE BILL NO. 352—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:416(A)(3)(c) and R.S. 17:425.2, relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retired members; to provide with respect to earnings limitations, repayment of excess earnings, and notifications by the employing agency; to provide relative to payment for unused sick and annual leave of certain unclassified postsecondary education employees who continue in employment after becoming eligible for retirement, including provisions for definitions, applicability, and conditions and limitations; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 375—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 56:115.1, relative to the definition of a legal buck deer; to provide for uniformity in regulations as to size and number of antlers which an antlered buck deer must possess in order to be legally taken; to provide for exceptions; and to provide for related matters.

SENATE BILL NO. 408—

BY SENATOR BAJOEI

AN ACT

To enact R.S. 36: 259(II) and 919.7 and Part LXI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.231 and 1300.232, relative to women's health; to create the Women's Health Commission; to provide for the membership, filling of vacancies, meetings,

compensation, domicile, election of officers, and powers and duties; and to provide for related matters.

SENATE BILL NO. 427—

BY SENATORS JONES, BAJOE, BOASSO, BOISSIERE, CAIN, CRAVINS, DUPRE, ELLINGTON, FIELDS, HAINKEL, MARIONNEAUX, MCPHERSON, ROMERO, SMITH AND ULLO
AN ACT

To enact R.S. 49:149.18, relative to public buildings; to provide for naming of state buildings; to require that all names for state public buildings be approved by certain committees of the legislature, meeting jointly; and to provide for related matters.

SENATE BILL NO. 435—

BY SENATORS THEUNISSEN AND NEVERS AND REPRESENTATIVES FRITH AND T. POWELL
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi) and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; to provide limitations; to provide for effectiveness; and to provide for related matters.

SENATE BILL NO. 468—

BY SENATOR FONTENOT

AN ACT

To enact Part II of Chapter 21 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2551 and 2552, relative to environmental quality; to provide for the Brownfields Cleanup Revolving Loan Fund; to provide for purpose; to provide for capitalization; to provide for uses; to provide for authority to make loans, grants, and incur debt; to provide for the administration of the fund; to provide for bonds, notes, or other evidence of indebtedness; and to provide for related matters.

SENATE BILL NO. 477—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:962.1.1(A), relative to possession of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers and salts of optical isomers; to redefine the crime relative to the amount of such substances; and to provide for related matters.

SENATE BILL NO. 493—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 46:2721 and to rename Chapter 56 of Title 46 of the Louisiana Revised Statutes of 1950, relative to funds; to abolish the Medicaid School-Based Administrative Claiming Trust Fund; to provide for certain reimbursable claims to public schools; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 538—

BY SENATORS CAIN AND HAINKEL

AN ACT

To amend and reenact R.S. 22:228.1(A), (B)(7), (8), (9), (10), (11), (12), and (C) and to enact R.S. 22:228.1(B)(13) and (14), relative to health insurance; to define health savings accounts and high deductible health plans; to exempt certain policies and plans from laws on premium rating of small group and individual health insurance policies; and to provide for related matters.

SENATE BILL NO. 562—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2075.2(A)(1) and R.S. 40:31.32(D), relative to installation and maintenance of sewage treatment systems; to provide for security for permits of certain treatment facilities; to provide for licensure and a combination license; to provide for license fees; and to provide for related matters.

SENATE BILL NO. 591—

BY SENATOR CHEEK AND REPRESENTATIVES K. CARTER AND WALSWORTH

AN ACT

To enact R.S. 22:11.1, relative to health insurance; to provide for a credentialing process for health insurance issuers who contract directly with health care providers for health care services; and to provide for related matters.

SENATE BILL NO. 593—

BY SENATORS B. GAUTREAUX, AMEDEE, DUPLESSIS, HOLLIS, MICHOT AND SMITH

AN ACT

To enact Subpart A-1 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.1 through 3397.6, relative to economic development; to authorize and provide for the establishment, management, operation, functions, and activities of regional research and development parks; and to provide for related matters.

SENATE BILL NO. 636—

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 42:1123(19), relative to the Code of Governmental Ethics; to provide with regard to the exception to allow a person to hold or obtain renewals of oyster leases while serving on the Louisiana Wildlife and Fisheries Commission; to require such a member of the commission to recuse himself or be disqualified by the commission from participating in certain transactions; and to provide for related matters.

SENATE BILL NO. 641—

BY SENATORS MALONE, NEVERS AND CHEEK AND REPRESENTATIVES BADON, BRUCE, HONEY, KENNEY, T. POWELL, M. POWELL, RITCHIE, JANE SMITH, TOOMY AND TRAHAN

AN ACT

To amend and reenact R.S. 17:1682(F) and to enact R.S. 17:1682(H) and 1682.2, relative to scholarships for disabled firefighters and their spouses; to provide for definitions; to provide for scholarship requirements; and to provide for related matters.

SENATE BILL NO. 653—

BY SENATOR JONES AND REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 44:4.1(B)(31) and R.S. 51:2454(C)(1), to enact R.S. 47:1508(B)(20) and R.S. 51:936(C) and (D), and to repeal R.S. 51:2454(C)(2), relative to the Department of Economic Development; to provide for cooperation between the Department of Economic Development and other state agencies; to authorize the department to obtain certain information in the possession of any state agency; and to provide for related matters.

SENATE BILL NO. 654—

BY SENATOR BAJIOIE AND REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 46:231.6, 231.7(A)(3)(a) and (D)(1), 231.8(A)(2), 231.11 and 460.5, relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

SENATE BILL NO. 657—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 13:1384 and to enact R.S. 13:2507.1, relative to criminal district and other courts; to provide for funding of certain positions or office and functions; to establish certain expense funds; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 668—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:360(E), relative to financial institutions; to exempt bank service companies from occupational license tax; and to provide for related matters.

SENATE BILL NO. 696—

BY SENATOR DARDENNE AND REPRESENTATIVES CURTIS AND TRICHE

AN ACT

To amend and reenact R.S. 11:292, relative to state and statewide public retirement systems; to provide with respect to benefits and contributions paid to any member, former member or retiree, spouse or former spouse; to provide that any retirement allowance, benefit, or refund of accumulated contributions paid to any member, former member, retiree, spouse, or former spouse shall be subject to garnishment or court-ordered assignment to pay child support; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 702—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 43:19.1, relative to official records; to permit certain records to be made accessible on the official Internet web site or portal of the Louisiana State Legislature; and to provide for related matters.

SENATE BILL NO. 731—

BY SENATORS CAIN AND CRAVINS

AN ACT

To enact Chapter 9 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3201 through 3205, relative to automobile insurance fraud prevention; to establish the Louisiana Automobile Theft and Insurance Fraud Prevention Authority in the Department of Insurance; to provide for the authority's duties, purposes, board of directors, staff, plan of operations, and funding; and to provide for related matters.

SENATE BILL NO. 749—

BY SENATOR CAIN AND REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 47:302.5, relative to sales tax proceeds; to provide for the distribution of certain state tax proceeds in Vernon Parish; and to provide for related matters.

SENATE BILL NO. 769—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 42:455(A)(1)(b) and to enact R.S. 42:455(E), relative to payroll deduction by foreign companies; to provide for requirements for payroll deduction for foreign companies; to provide with respect to the liability of the state; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 802—

BY SENATORS MOUNT AND THEUNISSEN AND REPRESENTATIVES FLAVIN, GEYMAN, E. GUILLORY, JOHNS AND MORRIS

AN ACT

To amend and reenact R.S. 27:96(A), relative to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide with respect to prohibited acts and gaming offenses on riverboats; to provide that certain elected public officials can engage in business activities with a riverboat gaming licensee as a non-key gaming employee under certain circumstances; to provide for notification requirements; to provide for the adoption of rules; and to provide for related matters.

SENATE BILL NO. 829 (Duplicate of House Bill No. 1563)—

BY SENATOR THEUNISSEN AND REPRESENTATIVE E. GUILLORY AND COAUTHORED BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 11:557 and to enact R.S. 11:413(15)(a), (b), and (c), relative to the Louisiana State Employees' Retirement System; to provide with respect to membership in the Louisiana State Employees' Retirement System for any political subdivision whose creation is authorized pursuant to R.S. 33:4710.2(A)(1) with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census; to provide that employees of any political subdivision created by state law with a parish wide jurisdiction in a parish with a population of not less than one hundred eighty thousand or more than one hundred eighty-five thousand according to the latest federal decennial census shall not be eligible to become members of the Louisiana State Employees' Retirement System; to provide with respect to employee and employer contributions; to provide for participation in the Deferred Retirement Option Plan by judges and court officers; to allow for remedial participation in the plan; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 842—

BY SENATOR ROMERO

AN ACT

To enact Chapter 45 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3301 through 3313, inclusive, relative to the Acadiana Gulf of Mexico Access Channel; to provide relative to objects and purpose, powers, coordination

and cooperation; to authorize certain expropriation powers of the department; to provide relative to duties of the Department of Transportation and Development; to provide relative to the Acadiana Gulf of Mexico Access Channel; to provide certain procedures, terms, and conditions; to authorize certain activities; and to provide for related matters.

SENATE BILL NO. 852—

BY SENATORS CHAISSON AND DUPRE AND REPRESENTATIVE DANIEL

AN ACT

To enact Code of Criminal Procedure Art. 894 (D)(3), relative to the office of motor vehicles; to provide for implementation and maintenance of an electronic database, by cooperative endeavor agreements; and to provide for related matters.

SENATE BILL NO. 855—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 25:841, 842, and 844 and to enact R.S. 25:845 and 846 and R.S. 36:209(Z) and 919.7, relative to the Louisiana Civil Rights Museum; to establish and provide for the Louisiana Civil Rights Museum Advisory Board; to provide for the membership, powers, duties, and functions of the advisory board; and to provide for related matters.

SENATE BILL NO. 869 (Substitute for Senate Bill No. 736 by Senator Jones)—

BY SENATOR JONES AND REPRESENTATIVES HUNTER, MURRAY AND RICHMOND

AN ACT

To amend and reenact R.S. 37:914(B)(1) and to enact R.S. 42:2.1, relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide relative to the composition of such entities; to provide relative to the appointment of members to such entities; to provide relative to the Louisiana State Board of Nursing; and to provide for related matters.

SENATE BILL NO. 871 (Substitute for Senate Bill No. 534 by Senator Irons)—

BY SENATORS IRONS, ADLEY, AMEDEE, BAJOE, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SMITH, THEUNISSEN AND ULLO AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 17:17, and to enact R.S. 17:17.1, 17.2, and 17.3, relative to physical fitness in schools; to provide relative to the physical activity and nutrition of students; to provide for legislative findings and objectives; to establish and provide for awards for schools with outstanding programs, based on funding; to establish and provide for the implementation of a pilot program; to provide for the selection of school systems for participation; to provide for program development; to provide for limitations; to provide for reports; to provide relative to funding; and to provide for related matters.

SENATE BILL NO. 878 (Substitute for Senate Bill No. 705 by Senator Jackson)—

BY SENATOR JACKSON

AN ACT

To enact R.S. 33:9110, relative to communication districts; to provide for definitions; to require multi-line phone systems to provide automatic location information; and to provide for related matters.

SENATE BILL NO. 41—

BY SENATOR MCPHERSON

AN ACT

To enact Part V-A of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:115, relative to the settlement of claims by the state; to provide for notification to the Joint Legislative Committee on the Budget of certain claims in which the state has an interest; and to provide for related matters.

SENATE BILL NO. 177—

BY SENATOR HAINKEL

AN ACT

To amend and reenact Chapters 8 and 9 of Title II of Book III of the Civil Code, to be comprised of Articles 1734 through 1743, and 1744 through 1751, relative to donations; to provide relative to donation made inter vivos in contemplation of marriage by third persons; to provide relative to interspousal donation; and to provide for related matters.

Respectfully submitted,
CHARLES D. JONES
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Adjournment

Senator Bajoie moved that the Senate adjourn until Monday, June 21, 2004, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Monday, June 21, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

